

NO. 02/47/2014-IPR-III
GOVERNMENT OF INDIA
MINISTRY OF COMMERCE AND INDUSTRY
DEPARTMENT OF INDUSTRIAL POLICY AND PROMOTION
(IPR-III SECTION)

Udyog Bhawan, New Delhi

Dated: 13 June, 2016

To

Sh. Pardeep Kumar
Flat No.102, Akashkunj Apartments, Sector 9, Rohini,
Delhi-110085
(e mail:pradeep250976@gmail.com)

Subject: RTI Application bearing Registration No. DOIPP/R/2016/50322 dated 11.05.2016 seeking information in respect of representation received from M/s Cipla Limited under Section 66 & 92 of the Patents Act 1970.

Sir

Please refer to your RTI application bearing registration No.DOIPP/R/2016/50322 dated 11.05.2016 on the above subject, received in this Division of DIPP on 24.05.2016. The point-wise reply to your queries is as under:-

S.No	Queries	Reply from DIPP
	In response to a RTI application filed by me on April 20, 2016 and subsequent response received from DIPP dated May 3, 2016, I was informed that the matter is still under process within DIPP.	
1	Please let me whether any action/steps have been taken by DIPP since November 2015 after it received the feedback from Department of Pharmaceuticals (DoP).	Singh & Singh Lall & Sethi (counsels for M/s CIPLA) has withdrawn the representation dated 21.10.2014 seeking revocation of India Patent Nos. IN222346, IN 230049, IN210047, IN 230312 and IN214320 registered in favour of Novartis AG. In view of this, the matter has been treated as closed so far as this Department is concerned.

2.	If yes, please provide me with copies of all relevant documents and papers circulated by DIPP both internally or with any other relevant Ministry and Department after receiving the response from DoP along with all relevant file notings.	Does not arise in view of the above.
3	In its response dated November 24, 2015 DoP had stated that Sub Section(g) of Section 83 speaks of availability of patent Invention at reasonably affordable prices to the public. As Cipla has offered the product at Rs.390/-per month as against Rs.2000/- per month by Novartis. DoP recommends that DIPP may like Novartis to justify the prices and its decision to not make the product in India possibly at prices comparable to Cipla. Please let me whether DIPP has held any meetings/ discussions with Novartis on the said DoP recommendation.	No
4	If yes, please provide me with copy of the minutes of the said meetings along with all file notings.	Does not arise in view of the above.
5.	If no, by when does DIPP plan to approach Novartis in this regard. Please provide details.	The information does not come under the definition of "Information" as prescribed in the RTI Act,2005
6.	Did DIPP hold any meetings/discussions/deliberations after it received the response from DoP to discuss the issue of representation received from Cipla Limited under Section 66 and 92 of the Patents Act 1970.	No.
7	If yes, please provide me with the minutes of the meetings along with all relevant file notings.	Does not arise in view of the above.
8.	Has DIPP received any further letters/correspondence/ communication from Ministry of Health after May 5, 2015. If yes please provide me with copy of the same along with all relevant file notings.	No.

2. In case you are not satisfied with the reply, you may prefer an appeal within 30 days from the receipt of this reply to the Appellate Authority, Shri Rajiv Aggarwal, Joint Secretary, Department of Industrial Policy and Promotion, New Delhi on the above address.

Yours faithfully,



(Surabhi Sharma)

Deputy Secretary to the Govt. of India & CPIO

Ph: 23063229

Copy to:

RTI Section, DIPP, New Delhi with reference to their Note dated 13.05.2016.